

PROB12A1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

REPORT OF OFFENDER NON-COMPLIANCE

Offender Name: JUAN CORDOVA-CERVANTES

Docket Number: 1:02CR05433-01 OWW

Offender Address: Bureau of Prisons

Judicial Officer: Honorable Oliver W. Wanger
United States District Judge
Fresno, California

Original Sentence Date: 02/18/2003

Original Offense: Deported Alien Found in the United States, 8 USC 1326
(CLASS C FELONY)

Original Sentence: 12 months BOP; 36 months TSR; \$100 SA; Mandatory
Drug Testing

Special Conditions: 1) Search; 2) Deportation

Type of Supervision: Supervised Release

Supervision Commenced: 11/20/2003

Assistant U.S. Attorney: David Gappa **Telephone:** (559) 487-5561

Defense Attorney: Ann Voris **Telephone:** (559) 498-7272

Other Court Action:

12/16/2004 : Form 12A.1, Report of Non-Compliance filed with Court
advising of offender's arrest and conviction in the
Southern District of California of an immigration offense.
Court approved probation officer's plan of no action
taken.

12/29/2004 : Form 12A.1, Report of Non-Compliance filed with Court
advising of offender's arrest and conviction in the
Southern District of California of a new immigration
offense. Court approved probation officer's plan of no
action taken.

RE: JUAN CORDOVA-CERVANTES
Docket Number: 1:02CR05433-01-OWW
REPORT OF OFFENDER NON-COMPLIANCE

NON-COMPLIANCE SUMMARY

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

1. NEW LAW VIOLATION

Details of alleged non-compliance: On October 24, 2005, the offender was sentenced by the Honorable Jay R. Irwin, United States Magistrate Judge (District of Arizona) to 6 months custody of the Bureau of Prisons following a conviction of Illegal Entry [Docket Number 05-09778-001-P].

United States Probation Officer Plan/Justification: The offender was again arrested during an attempt to illegally reenter the United States following his deportation on October 17, 2005. He has been previously deported or removed to Mexico on numerous occasions and presently is on supervised release in the Southern District of California as well as this district. Given the nature of the sentence received, it is recommended that no further action be taken at this time and that supervised release continue uninterrupted.

Respectfully submitted,

/s/ Hubert J. Alvarez

HUBERT J. ALVAREZ
Senior United States Probation Officer
Telephone: (559) 498-7504

DATED: December 12, 2005
Fresno, California
HJA

RE: **JUAN CORDOVA-CERVANTES**
Docket Number: **1:02CR05433-01-OWW**
REPORT OF OFFENDER NON-COMPLIANCE

REVIEWED BY: /s/ Bruce Vasquez
BRUCE A. VASQUEZ
Supervising United States Probation Officer

THE COURT ORDERS:

- (X) The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.
- () Submit a Request for Modifying the Conditions or Term of Supervision.
- () Submit a Request for Warrant or Summons.
- () Other:

December 26, 2005

/s/ OLIVER W. WANGER

Date

Signature of Judicial Officer

cc: United States Probation
David Gappa, Assistant United States Attorney
Ann Voris, Assistant Federal Defender